

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

HEATH WHITT,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	2:18cv851-MHT
	)	(WO)
WARDEN MILLS AND CPT.	)	
DANZIEY,	)	
	)	
Defendants.	)	

OPINION

Pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., plaintiff, a state prisoner who has a prosthetic leg, filed this lawsuit complaining that he fell in the shower due to the lack of shower rails or other appropriate accommodations for people with disabilities in the shower at Easterling Correctional Facility. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed without prejudice for failure to file a response to the defendants' special report. There are no objections to

the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 8th day of April, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE